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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/541,412

07/05/2005

Masayuki Nomura

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EXAMINER

ROBERTS, JESSICA M

ART UNIT

PAPER NUMBER

2621

NOTIFICATION DATE

DELIVERY MODE

12/14/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/541,412	<b>Applicant(s)</b> NOMURA, MASAYUKI	
	<b>Examiner</b> JESSICA ROBERTS	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/05/2005;03/33/06;02/21/2008;7/2/2008</u> .                 | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. The abstract of the disclosure is objected to because of undue length. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1, 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasushi et al., JP-07-250351A in view of Kazunobu et al., JP-08-172643A

As to **claim 1**, Yasushi teaches a stereoscopic video recording and reproducing apparatus comprising: an imaging lens (an imaging lens, [0010]) that incorporates a light beam of a subject from an optical axis direction of the lens to obtain a first subject image (an imaging lens which this invention takes in an object light bunch from a lens optical axis, and acquires the 1st image, [0010]) light-guiding means (a light guide means, [0010]) for incorporating a light beam of a subject from a direction different from

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the optical axis direction of the lens (a light guide means for taking in an object light bunch from a different direction from said optical axis direction, [0010]) and guiding the light beam of the subject to the imaging lens to obtain a second subject image (leading even said imaging means, and acquiring the second image, [0010]); means for imaging the first subject image in a field of a video signal (it has a picture-signal-circuitry system which changes said 1st object image into one field of a video signal, [0010]) and imaging the second subject image in another field of the video signal (and changes said 2<sup>nd</sup> object image into the field of another side, [0010]); means for synchronizing field-sequential video of the first subject image and that of the second subject image (In these operations of a series of CCD22, the liquid crystal shutters 27 and 28, the field memory circuit 29, the expanding processing circuit 30, the position processing circuit 31, the mixing circuit 32, etc take timing based on the signal from the synchronization circuit 34 so that a synchronization in a field unit may be taken, [0020]) and means for converting the synchronized first subject image and the synchronized second subject image to a time division signal within a field (In these operations of a series of, CCD 22, the liquid crystal shutters 27 and 28, the field memory circuit 29, the expanding processing circuit 30, the position processing circuit 31, the mixing circuit 32, etc. take timing based on the signal from the synchronizing signal generation circuit 34 so that a synchronization in a field unit may be taken at least, [0020])

Yasushi is silent in regards to a field-sequential video delayed by one field from the field-sequential video of the first subject image and the second subject image.

However, Kazunobu teaches a field-sequential video delayed by one field from the field-sequential video of the first subject image and the second subject image (Kazunobu teaches And in this case the multiplexer 216, The picture image data for left eyes which performs switching operation, is supplied by said select signal MPX2-SEL from the 1st input part 201, and is outputted through A/D converter 205 and said multiplexer 214, The picture image data for right eyes which is supplied from the 2nd input part 206 and outputted through A/D converter 210 and the phase adjustment section 215 is chosen alternately with multiple times during 1 horizontal scanning period, and synthetic video data is generated. The above-mentioned phase adjustment section 215 comprises D register and a delay element, delays the picture image data for right eyes, and performs picture image data for left eyes, and phase adjustment, [0032]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Kazunobu with Yasushi to perform a 3 dimensional scenography display using the image software outputted as said one video display signal in the 3-dimensional scenography display of the glasses-less method using a parallax barrier system, etc [0010].

As to **claim 3**, Yasushi (modified by Kazunobu) as a whole teaches everything as claimed above, see claim 1. Yasushi is silent in regards to the stereoscopic video recording and reproducing apparatus of claim 1 comprising a display portion using a lenticular lens or a display portion using a parallax barrier method.

However, Kazunobu teaches wherein the display portion is a display portion using a lenticular lens or a display portion using a parallax barrier method (Kazunobu teaches where By this, on a screen, the image for the right eyes and the image for the left eyes are displayed by vertical stripe shape by turns, by the optical means of a parallax barrier, etc., the image for right eyes is respectively, and a corporal vision is performed, [0012]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Kazunobu with Yasushi to perform a 3 dimensional scenography display using the image software outputted as said one video display signal in the 3-dimensional scenography display of the glasses-less method using a parallax barrier system, etc [0010].

As to **claim 4**, Yasushi (modified by Kazunobu) as a whole teaches everything as claimed above, see claim 3. Yasushi is silent in regards to the stereoscopic video recording and reproducing apparatus of claim 3, wherein the display portion is a display portion using a lenticular lens or a display portion using a parallax barrier method.

However, Kazunobu teaches wherein the display portion is a display portion using a lenticular lens or a display portion using a parallax barrier method (Kazunobu teaches where By this, on a screen, the image for the right eyes and the image for the left eyes are displayed by vertical stripe shape by turns, by the optical means of a parallax barrier, etc., the image for right eyes is respectively, and a corporal vision is performed, [0012]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Kazunobu with Yasushi to perform a 3 dimensional scenography display using the image software outputted as said one video display signal in the 3-dimensional scenography display of the glasses-less method using a parallax barrier system, etc [0010].

5. Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasushi et al., JP-07-250351A in view of Kazunobu et al., JP-08-172643A and further in view of Lippert et al., US-4, 754,327A.

As to **claim 2**, Yasushi (modified by Kazunobu) as a whole teaches everything as claimed above, see claim 1. Yasushi is silent in regards to the stereoscopic video recording and reproducing apparatus of claim 1 comprising: means for recording , in a recording medium, the field-sequential video of the first subject image and the second subject image imaged by the imaging means; and means for reproducing the field-sequential video of the first subject image and the second subject image recorded in the recording medium; wherein the field-sequential video of the first subject image and the second subject image obtained from the reproducing means is supplied to the synchronizing means.

However, Lippert teaches a means for recording (fig. 18, element 103), in a recording medium, the field-sequential video of the first subject image and the second subject image by the imaging means (Recording 103 is for delayed recording of images

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for replaying and viewing at a substantially later time than the time of the recording, col. 8 line 61 to col. 9 line 3 and fig. 18. Since Lippert discloses to record images for replaying, thus it is obvious that the recorder as disclosed includes a medium since the images are replayed at a later time); and means for reproducing the field-sequential video of the first subject image and the second subject image recorded in the recording medium (Lippert discloses where also, the signals from the left and right video multiplexers 118 and 120 may be combined by video combiner 104 into a signal to be fed down one line as alternating left/right display signals to field-sequential binocular display 28. Recorder 103 is connected to multiplexers 102. Recording 103 is for delayed recording of images for replaying and viewing at a substantially later time than the time of the recording, col. 8 line to col. 9 line 3 and fig. 18-19. Since Lippert discloses the recorder is for replaying and viewing at a substantially later time, it is obvious to that the recorder reproduces the images, which reads upon the claimed limitation); wherein the field-sequential video of the first subject image and the second subject image obtained from the reproducing means is supplied to the synchronizing means (Lippert discloses where the signals from the left and right video multiplexers 118 and 120 may be combined by video combiner 104 into a signal to be fed down one line as alternating left/right display signals to field-sequential binocular display 28. Recorder 103 is connected to multiplexers 102. Recording 103 is for delayed recording of images for replaying and viewing at a substantially later time than the time of the recording, col. 8 line 61 to col. 9 line 3 and fig. 18-19. Since, fig. 18 clearly discloses that the video recorder (103) communicates with the multiplexer and feeds the combiner, it is clear to



the Examiner that the output from video recorder is input to the multiplexer and supplied to the combiner to convert the signal in alternating left/right display signals, which reads upon the claimed limitation).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Lippert with Yasushi (modified by Kazunobu) for displaying stable and clear near real-time or delayed time images with effective three dimensional or stereo characteristics, see abstract.

As to **claim 5**, Yasushi (modified by Kazunobu and Lippert) as a whole teaches everything as claimed above, see claim 2. Yasushi is silent in regards to the stereoscopic video recording and reproducing apparatus of claim 2 comprising a display portion that displays a stereoscopic image in response to the time division signal from the means for converting to a time division signal.

However, Lippert teaches a display portion (3 dimensional display, fig. 18, 19 element 28) that displays a stereoscopic image in response to the time division signal from the means for converting to a time division signal (also, the signals from the left and right video multiplexers 118 and 120 may be combined by video combiner 104 into a signal to be fed down one line as alternating left/right display signals to field-sequential binocular display).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Lippert with Yasushi (modified by Kazunobu) for displaying stable and clear near real-time or delayed time images with effective three dimensional or stereo characteristics, see abstract.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
7. Nelson, et al., US-2002/0009137

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSICA ROBERTS whose telephone number is (571)270-1821. The examiner can normally be reached on 7:30-5:00 EST Monday-Friday, Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Marsha D. Banks-Harold/

Supervisory Patent Examiner, Art Unit 2621

/Jessica Roberts/

Examiner, Art Unit 2621